United Nations A/55/201

General Assembly

Distr.: General
19 July 2000

Original: English

Fifty-fifth session
Item 112 of the provisional agenda*
Promotion and protection of the rights of children

Status of the Convention on the Rights of the Child

Report of the Secretary-General**

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* A/55/150.

** In accordance with General Assembly resolution 54/248, sect. C, para. 1, this report is being submitted on 19 July 2000 so as to include as much updated information as possible.

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I. Introduction

1. The General Assembly, by its resolution 44/25 of 20 November 1989, adopted the Convention on the Rights of the Child. The Convention was opened for signature in New York on 26 January 1990 and entered into force on 2 September 1990, the thirtieth day after the deposit with the Secretary-General of the twentieth instrument of ratification or accession.

2. On 17 December 1999, the General Assembly adopted resolution 54/149, entitled "The rights of the child" which dealt with the issues of the implementation of the Convention on the Rights of the Child; the prevention and eradication of the sale of children and of their sexual exploitation, including child prostitution and child pornography; the protection of children affected by armed conflict; refugee and internally displaced children; progressive elimination of child labour; the plight of children living and/or working on the streets and children with disabilities. It requested the Secretary-General to submit to the Assembly at its fifty-fifth session a report containing information on the status of the Convention on the Rights of the Child and the problems addressed in resolution 54/149. The present report is submitted to the Assembly pursuant to that request and contains information on the activities of the Office of the United Nations High Commissioner for Human Rights (UNHCR) and information submitted by the Office of the United Nations High Commissioner for Refugees (UNHCR), the United Nations Children's Fund (UNICEF) and the International Labour Organization (ILO).

3. The General Assembly, by its resolution 54/263 of 25 May 2000, adopted two optional protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography.

II. Status of the Convention

4. As at 5 July 2000, the Convention had been ratified or acceded to by 191 States. In addition, one State had signed the Convention. (For the list of States that have signed, ratified or acceded to the Convention, as well as the dates of their signature, ratification or accession, see A/52/348, annex.)

5. As at 5 July 2000, the optional protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict had been signed by eight States (Argentina, Cambodia, Canada, Monaco, Norway, San Marino, Sweden and the United States of America), and the optional protocol on the sale of children, child prostitution and child pornography had been signed by five States (Cambodia, Chile, Monaco, Norway, San Marino and the United States of America).

III. Implementation of the Convention

6. The Commission on Human Rights, at its fifty-sixth session, adopted resolution 2000/85 of 28 April 2000, in which it expressed its profound concern that the situation of children in many parts of the world remained critical as a result of poverty, inadequate social and economic conditions in an increasingly globalized world economy, pandemics, natural disasters, armed conflicts, displacement, exploitation, illiteracy, hunger, intolerance, disability and inadequate legal protection; welcomed the role of the Committee on the Rights of the Child in examining the progress made by States parties in implementing the obligations undertaken in the Convention and in providing recommendations to States parties on its implementation and, in cooperation with the Office of the United Nations High Commissioner for Human Rights, in creating awareness of the principles and provisions of the Convention; called upon States parties to accept as a matter of priority the amendment to paragraph 2 of article 43 of the Convention; called upon States parties to ensure systematic training for professional groups working with and for children and called upon States to strengthen efforts to improve national systems for the collection of comprehensive and disaggregated data, including gender-specific data, for all areas covered by the Convention on the Rights of the Child; recommended that, within their mandates, all relevant human rights mechanisms, in particular special rapporteurs and working groups, and all other relevant organs and mechanisms of the United Nations system and the specialized agencies regularly and systematically take a child's rights perspective into account in the implementation of their mandates; and decided to request the Secretary-General to ensure the provision of appropriate staff and facilities for the effective and expeditious performance of the functions of the Committee, while noting the temporary support

given by the Plan of Action of the High Commissioner for Human Rights to strengthen the implementation of the Convention.

7. The Committee on the Rights of the Child held its twenty-second, twenty-third and twenty-fourth sessions at the United Nations Office at Geneva from 20 September to 8 October 1999, 10-28 January 2000 and 15 May to 2 June 2000, respectively.[1]

8. Protecting the rights of the child has grown to be a major theme on the agenda of the Office of the United Nations High Commissioner for Human Rights (OHCHR). The High Commissioner considers wide-ranging and important issues such as children in armed conflict, exploitation of child labour, sale and trafficking of children, juvenile justice, child prostitution and child pornography, and violence and discrimination against the girl child. In addressing children's rights issues, OHCHR has established a long-standing cooperation with UNICEF as well as other United Nations agencies and bodies.

9. In November 1996, the High Commissioner launched a Plan of Action to strengthen the implementation of the Convention on the Rights of the Child. The Plan became operational in July 1997. As at July 2000, five staff members were working under the Plan of Action. In addition to providing substantive support to the Committee, the Plan also assists States in meeting their reporting obligations and undertakes activities to follow-up on the recommendation of the Committee.

10. The year 1999 marked the tenth anniversary of the adoption of the Convention by the General Assembly. In September/October 1999, in the course of the Committee's twenty-second session, the Office of the United Nations High Commissioner for Human Rights and the Committee on the Rights of the Child organized a two-day workshop to assess the impact of the Convention after 10 years, both at the national and international level, and to design recommendations to strengthen its implementation in the future.

11. On 20 November 1999, the commemorative day of the adoption of the Convention, the United Nations High Commissioner for Human Rights received in Geneva a delegation of 86 children from 24 countries from all regions of the world which had been organized by ATD Quart Monde. During a ceremony of art and music, the children presented to the High Commissioner an appeal which was the result of work in their home countries and during meetings which took place the week prior to the ceremony. The appeal, drafted in the children's own words, underlined the importance of the family, the need for children to come together and fight poverty, the importance of equality of chances for children, the need for children to go to school, the importance of jobs for parents, the importance of play, and the need to end violence. "We would like land mines to turn into shoes, we would like bullets to turn into candy, and cannons into tractors." The appeal called on the United Nations to understand poor children and to learn from them.

12. Following the adoption of two optional protocols to the Convention, the United Nations High Commissioner for Human Rights noted that it sends a strong signal, at the start of the century, that protection of the rights of every child is, and must remain, a matter of the highest priority on the agenda of the international community and specified that the protocols should be rapidly ratified by States and implemented.

13. During the first meeting of the Preparatory Committee of the World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance (1-5 May 2000), the representative of the Committee on the Rights of the Child suggested that the view of children and adolescents be taken into account in the preparatory process of the World Conference, possibly through participation at the country level.

14. At the April 1999 meeting in Geneva of the International Coordinating Committee on National Human Rights Institutions, the United Nations High Commissioner encouraged those national institutions to reinforce and review their work in favour of children's rights. During the fourth annual meeting of the Asia/Pacific Forum in Manila (9-10 September 1999) a specific workshop on children's rights was held. At the Fifth International Workshop on National Institutions for the Promotion and Protection of Human Rights in Rabat, Morocco (13-15 April 2000) participants gave special emphasis to children's rights and adopted the Rabat Declaration, which refers to the need for national human rights institutions to work specifically on children's rights.

15. From 30 May to 2 June 2000, the Office of the United Nations High Commissioner for Human Rights participated in the Preparatory Committee for the

special session of the General Assembly to be held in 2001 to review the implementation of the World Declaration and Plan of Action approved in 1990 at the World Summit for Children.

16. UNICEF believes that, despite the positive momentum, formidable challenges, such as HIV/AIDS, armed conflicts, discrimination and poverty, remain in addressing underlying conditions that affect children, women and their families and inhibit the fulfilment of their rights. UNICEF has called for the provision of basic social services of good quality to all children as the key to reducing poverty and maximizing the individual capabilities of children and of their societies. UNICEF will continue to advocate for poverty reduction, debt relief and poverty monitoring, through, inter alia, the identification, development and utilization of social indicators. As the intent to achieve "education for all" grows in the new millennium, UNICEF continues to focus on the crucial area of girls' education (literacy, communication, rights advocacy etc.).

17. In the context of the tenth anniversary of the adoption of the Convention on the Rights of the Child, UNICEF launched a pilot project, entitled "Making children count". The project complements and expands upon the publication of the implementation handbook for the Convention with concrete examples of implementation measures adopted by Governments.

18. In coordination with key partners, UNICEF is investing globally in documenting good practices and innovations in its rights-based approach to programming. The core *Programme Policy and Procedure Manual: Programme Operations* for UNICEF staff was fully revised in 1999 to include the dimensions of human rights, gender, the environment, programming in situations of instability, United Nations reform, results-based management and quality assurance. UNICEF has continued to support the work of the Committee on the Rights of the Child and other human rights bodies. In particular, UNICEF has very closely collaborated with the Committee and OHCHR in the organization of the tenth anniversary commemorative meeting of the Committee.

A. Prevention and eradication of the sale of children and of their sexual exploitation, including child prostitution and child pornography

19. Since the fifty-fourth session of the General Assembly (1999), the Special Rapporteur on the sale of children and of their sexual exploitation, including child prostitution and child pornography, has focused her mandate upon the role of the family as both preventive and causative of the entry of children into commercial sexual exploitation. She has traditionally chosen one aspect of her mandate — e.g., the justice system, the media, education — to analyse in detail each year. However, it became apparent to her that in the vast majority of cases in which a child is exploited, the roots of the abuse can be traced back to his or her familial situation.

20. In her report to the Commission on Human Rights at its fifty-sixth session (E/CN.4/2000/73), the Special Rapporteur addressed the impact of physical and sexual abuse within the family, including situations where the violence is witnessed by, but not directed at, the child. She concluded that both boys and girls are as likely to be made vulnerable to commercial sexual exploitation as a result of emotional neglect from the family as they are to physical and sexual abuse. Many of the Government and non-governmental organizations responses to her request for information suggested that the largest group of perpetrators of domestic child abuse are those individuals who are well known by the child and her or his family but who are not necessarily related. The Special Rapporteur was encouraged to receive a considerable number of responses from Governments indicating measures that were being taken to address the issue of domestic violence, although most of the responses were primarily aimed at protecting the woman and enabling her to protect her children. The Special Rapporteur encourages both the further development and the introduction of measures that focus mainly upon the protection of the child, given that in some situations, the perpetrator of the abuse and violence is female.

21. Since the fifty-fourth session of the General Assembly, the Special Rapporteur has carried out two field missions. In October 1999, she visited the Fiji Islands, and in March 2000, she visited Morocco. Both countries are affected by the scourge of child sex tourism. In Fiji some occurrences of the use of children

for pornographic purposes were reported, and in Morocco, sexual abuse of boys living on the streets, often perpetrated by older boys, was particularly problematic.

22. In 2000, the Special Rapporteur has chosen to focus, from the concerns of her mandate, upon the role of the business sector with regard to the protection of children. In the course of her country visits, she has recently held meetings with representa ives of the local Chambers of Commerce and members of the business community. She has learned of many initiatives carried out by the private sector, usually working in conjunction with non-governmental organizations, and is currently seeking to explore further the possibilities in that regard. In June 2000, the Special Rapporteur wrote to the International Cha nber of Commerce and Chambers of Commerce globally and to many non-governmental organizations, requesting information about existing initiatives that might be proposed and replicated in other parts of the world. The International Chamber of Commerce, which is working closely with OHCHR, the ILO and the United Nations Environment Programme (UNEP) concerning the Secretary-General's Global Compact, has expressed its full support for the Special Rapporteur and has advised her of many relevant activities that are being carried out in various regions.

23. UNICEF has adopted a three-pronged approach in working to assist victims of sexual abuse and exploitation through activities that seek to decrease the likelihood that sexual abuse and exploitation of children will occur; to protect the rights of children already in abusive or exploitative situations; and to provide psycho-social support and reintegration of children with families and communities. In 1999 UNICEF strengthened its focus on addressing sexual exploitation and abuse. For example, the trafficking of women and girls from countries in Central and Eastern Europe, the Commonwealth of Independent States and Baltic States region continued to gain visibility through press coverage, and a study of the situation of children in border communities was supported in Poland. National workshops on trafficking were held with UNICEF cooperation in Cambodia, the Lao People's Democratic Republic and Viet Nam as part of a project of the Mekong Regional Law Centre.

24. Similar issues are at the heart of current discussions on a draft convention against transnational organized crime and its protocols against the smuggling of migrants and to prevent, suppress and punish trafficking in persons, especially women and children. UNICEF has joined with UNHCR, UNCHR and the International Organization for Migration (IOM) to express its concern that the convention and its protocols ensure the proper protection of smuggled or trafficked children, including their right to benefit from appropriate assistance.

25. The ILO's new Convention on the Worst Forms of Child Labour, 1999 (No.182) covers, among other things, all forms of slavery or practices similar to slavery, such as the sale and trafficking of children (relevant to article 35 of the Convention on the Rights of the Child) and the use of a child for prostitution, the production of pornography or for pornographic performances (article 34). The unanimous adoption of this new Convention in 1999 and its remarkably rapid pace of ratification clearly demonstrate the international consensus that immediate action is needed for the prevention and eradication of the sale of children and of their sexual exploitation, including child prostitution and child pornography. The ratification and implementation of the ILO Convention and the promotion of the optional protocol to the Convention on the Rights of the Child on that subject will certainly complement each other.

26. The action of OHCHR in the area of trafficking is currently taking place on two fronts. First, the Office continues to enhance the quality of its support to the relevant mechanisms dealing with trafficking and related issues, such as the treaty bodies, the special rapporteurs and the subsidiary bodies of the Commission on Human Rights. On a second front, OHCHR has developed a specific anti-trafficking programme. Its objective is to work towards the integration of human rights into international, regional and national anti-trafficking initiatives, with an emphasis on the development and promotion of legal standards and on providing policy leadership. OHCHR action is essential because trafficking is too often seen not as a human rights issue but only in terms of migration, organized crime, development, or public order. OHCHR will use its voice to ensure that United Nations agencies, States, intergovernmental organizations and non-governmental organizations adopt a human rights approach when they address trafficking.

27. To address adequately the issue of trafficking, OHCHR has adopted policy principles, including some

concerning children exclusively; for instance, children should not be treated in the same way as adults in identification, rescue and repatriation processes. They are entitled to special rights and special needs which must be recognized and protected. The definition of the term "trafficking" in laws, policies and programmes should not be restricted to sexual exploitation. It should be broad enough to cover other identified purposes without ambiguity, such as bonded or forced labour and other slavery-like practices. It should use child- and gender-sensitive language to signal that children and women are the ones most vulnerable to trafficking. The work of OHCHR in the area of trafficking is based on two fundamental principles:

(a) That human rights must be at the core of any credible anti-trafficking strategy;

(b) That such strategies must be developed and implemented from the perspective of those who most need their human rights protected and promoted.

In dealing with child victims of trafficking, the best interests of the child are to be at all times paramount. Clear recognition must be given to fighting the impunity of those responsible and at the same time ensuring that the child is not criminalized in any way. Assistance and protection of child victims of trafficking should not be made discretionary or otherwise dependant on the decision of national authorities. In accordance with article 2 of the Convention on the Rights of the Child, child victims of trafficking are entitled to the same protection as nationals of the receiving State in all matters, including those relating to protection of their privacy and physical and moral integrity.

B. Protection of children affected by armed conflict

28. Since her appointment in 1993, the Special Representative of the Secretary-General on Children and Armed Conflict has played a crucial role in ensuring greater attention of all concerned parties to the issue.

29. The main areas of action on the part of UNICEF for the protection of children affected by armed conflicts are: a global call for an end to the use of children as soldiers; increased protection for humanitarian assistance and humanitarian personnel; humanitarian landmine action; protection of children from the effects of sanctions; inclusion of specific provisions for children in peace-building efforts; an end to the impunity of war crimes, especially against children; and early warning and preventive action in support of children.

30. UNICEF collaborated with sister agencies and the Special Representative of the Secretary-General on Children and Armed Conflict on the preparation of the Secretary-General's report on the implementation of Security Council resolution 1261 (1999) UNICEF will continue to follow closely the work of the Security Council with a view to ensuring that children's rights are a constant consideration in all its work. UNICEF, together with other United Nations agencies and bodies such as OHCHR, has strongly advocated the ratification of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Landmines and Their Destruction, which entered into force in March 1999. In coordination with the United Nations Mine Action Service, UNICEF has been designated responsible, within the United Nations system, for promoting landmine awareness worldwide and has been working to assure universality of the convention and global adherence to its principles. The launch of International Guidelines on Landmines and Unexploded Ordinance Awareness Education, developed with UNICEF assistance, provides a foundation for moving training forward. UNICEF has continued to support advocacy on the impact on children of small arms and light weapons. In August 1999, UNICEF and the United Nations Secretariat Department for Disarmament Affairs opened an exhibition at United Nations Headquarters, entitled "Taking aim at small arms: defending child rights". UNICEF used the occasion to confirm its support for the establishment of international and regional codes of conduct to regulate the legal and illicit trade in light and heavy weapons and to welcome the recently launched international non-governmental organization campaign against small arms.

31. With regard to the protection of children in conflict, several UNICEF offices, including those in the Democratic Republic of the Congo and Sierra Leone, increased their efforts to support demobilization and reintegration programmes for children. In the Democratic Republic of the Congo, there has been advocacy at the highest levels of Government for a halt to the recruitment of children in the armed forces and for the demobilization of existing child soldiers.

Support to the reunification of separated children has been strengthened and expanded in a number of countries, including Sudan and Uganda, Angola, Sierra Leone and the United Republic of Tanzania, and was provided during the crises in Kosovo and East Timor.

32. OHCHR gives particular attention to children affected by armed conflict, partially in the context of its commitment to the integration of a consideration of children's rights into every aspect of the Office's work and partly through specific activities focusing on the protection of children's rights in conflict situations. Specific activities focusing on children affected by armed conflict are closely linked to the implementation of the 1996 recommendations in relation to the impact of armed conflict on children.[2] In this regard, OHCHR is in the process of publishing a guide for human rights staff working in the field, in which attention is given to armed conflict situations and to children's rights. Further, OHCHR has joined the Steering Committee of UNHCR and the Save the Children Alliance on the project Action for the Rights of Children (ARC), with the objective of implementing that rights-based capacity building and training initiative in its field presences. Within the framework of ARC, OHCHR is participating in regional training activities for future ARC trainers. In the same spirit, OHCHR's ongoing joint human rights training initiatives with certain regional organizations, such as the Organisation for Security and Cooperation in Europe (OSCE), are being expanded to include a focus on the rights of children in armed conflict.

33. OHCHR has also been closely involved in the drafting of the Secretary-General's report to the Security Council on the implementation of resolution 1261 on children and armed conflict and will soon begin working with partners on the process of putting its recommendations into effect. Through its field presences, OHCHR conducts human rights investigations, monitoring, reporting and technical cooperation, focusing at times on the specific situation of children. OHCHR provides a liaison, and maintains extensive cooperation with, the Office of the Special Representative of the Secretary-General for Children and Armed Conflict. Examples of collaboration over the past year include the elaboration of terms of reference and the creation of a candidate pool for child protection advisers who will be increasingly serving with United Nations peacekeeping missions. Other common activities have included the elaboration of a joint pilot children's rights training initiative for peacekeeping operation staff and an exchange of information between OHCHR and Geneva-based partners and the Office of Special Representative of the Secretary-General for Children and Armed Conflict.

34. It is worth noting that the ILO Convention on the Worst Forms of Child Labour, 1999 (No.182) also covers forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict. Although the scope of the ILO Convention is not exactly the same as that of the Optional Protocol to the Convention on the Rights of the Child, the ILO's instruments and the United Nations instruments will reinforce each other.

C. Refugee and internally displaced children

Refugee children

35. Some 10 million out of the 22.3 million refugees and other persons of concern to UNHCR are children under the age of 18 years. UNHCR strategy involves the prioritization of certain child concerns, and the Office is currently focusing on the following areas in particular: separated children; adolescents; and education. UNHCR is similarly seeking to mainstream children's issues into its overall protection and assistance activities and is placing an increased emphasis on an inter-agency approach to addressing issues of common concern and on training and capacity-building activities. UNHCR works in partnership with a wide range of organizations — most notably, UNICEF and Save the Children.

36. UNHCR's primary protection concern is to ensure that protection is translated into concrete activities on the ground. Those activities encompass and benefit refugee children as well as other categories of refugees. One particular aspect with an important bearing on children is maintaining the civilian and humanitarian character of refugee camps and settlements and ensuring the physical safety of refugees. UNHCR has developed the concept of the "ladder of options", or a variety of approaches to deal with varying degrees of insecurity.

37. UNHCR also addresses the specific protection needs of refugee children. Activity in the past year included follow-up by field offices to the United Nations study on the impact of armed conflict on

children.[2] The positions of four regional policy officers for refugee children covering West Africa, the Horn of Africa, the Great Lakes region of Africa, Central Asia and the Commonwealth of Independent States have been strengthened, and a function focusing on the issue of separated children in Europe has been put in place.

38. UNHCR has developed and is implementing the project Action for the Rights of Children (ARC), a training and capacity-building initiative for the staff of UNHCR and governmental and non-governmental organization partners, in collaboration with Save the Children, UNICEF and OHCHR. Through ARC training initiatives, regional resource teams are being created with a view to developing follow-up strategies to address specific children's issues in their respective regions/countries.

39. Further follow-up activities to the Machel study[2] include strengthened efforts to address the rights and needs of unaccompanied and separated children. Significant results were achieved in the Great Lakes region of Africa between 1994 and 1999, where close inter-agency collaboration involving UNHCR and the International Committee of the Red Cross (ICRC) ensured the successful reunification of some 62,000 Rwandan unaccompanied and separated children. In 1999, UNHCR and the Save the Children Alliance implemented a joint programme seeking to ensure respect for the rights and best interests of separated children and adolescents arriving in Europe. The programme, the Separated Children in Europe Programme, combines advocacy, training and public awareness activities. Another interesting model of joint efforts is a project for separated children in Guinea.

40. Increasing the access of refugee children to schooling, particularly for girls, remains one of UNHCR's main priorities. Projects in Pakistan, Armenia and Liberia, for example, show significant improvements in the school attendance rates of refugee children. Improving educational response during emergencies and enhancing of the quality of teaching requires more textbooks and classroom learning materials, better teacher training and strengthening the capacity of UNHCR's implementing partners in education. Attention to these qualitative issues will also increase the retention rate of refugee children in school.

41. While UNHCR endeavours to ensure access to primary schooling for all refugee children, fewer possibilities are available for children at the post-primary level. Some refugees are able to benefit from scholarship schemes, such as those offered by the Albert Einstein Academic Scholarship Programme for Refugees, funded in 1998 by the Government of Germany. However, since this is an area that requires further attention, a UNHCR proposal for a refugee education trust has been launched. It involves the establishment of an independent fund for refugee post-primary education. To increase the availability of education in emergencies, UNHCR is collaborating with UNICEF in seeking additional financial support from Ted Turner funds through the United Nations Foundation.

42. In the context of return, UNHCR, in cooperation with UNICEF and other agencies, has also been actively involved in rehabilitation and social reintegration programmes for returnee children. A prominent example is the ongoing Liberian Children's Initiative, which, starting in 1998, has specifically addressed the special needs of returnee children, inter alia, by facilitating access to education and training and by supporting the functioning of the juvenile justice system. Where local integration or resettlement is the most suitable durable solution, UNHCR pays particular attention to the special protection needs of minors. The UNHCR resettlement handbook defines important criteria and procedures to be followed when resettling minors.

Internally displaced children

43. Over the past year, the Inter-Agency Standing Committee on Emergencies, comprised of the major United Nations humanitarian, human rights and development agencies and relevant non-governmental organizations, has taken on a very active role in addressing the needs of internally displaced populations, both at the policy and programmatic levels, globally and at the country level. In 1999, a collection of field practices in internal displacement was promoted by the Committee, with UNICEF leading efforts to collect and publish field experiences relating specifically to children.

44. In November 1999, the Committee adopted a policy on the protection of internally displaced persons in order to ensure that the issue would be addressed in a collaborative manner by relevant organizations of the United Nations system. The policy was further enhanced in May 2000 by the supplementary guidance

issued by the Committee to resident and humanitarian coordinators on their responsibilities in relation to internally displaced persons. These are important tools for providing an environment where the rights of displaced children are promoted and respected through timely and effective action by the United Nations system.

45. Based on human rights law, including the Convention on the Rights of the Child, and international humanitarian law, the Guiding Principles on Internal Displacement[3] restate the relevant norms in all phases of internal displacement, the provision of protection from arbitrary displacement, and protection and assistance during displacement and during return or resettlement. The 30 Principles pay special attention to the needs of internally displaced children. They assert as a general principle that children, especially unaccompanied minors, shall be entitled to the protection and assistance required by their condition and to treatment that takes into account their special needs. Specific provisions prohibit the forcible recruitment of children and their participation in hostilities, forced labour, sale into slavery, and sexual abuse. The Principles provide for the rapid reunification of families, in particular when children are involved, the education of displaced children and the equal participation of girls in educational programmes. They also call for special attention to be given to the particular needs of expectant mothers and mothers with young children and to ensuring property rights and opportunities for income-generation for women heads-of-household. Doing so is critical to the well-being and development of internally displaced children.

46. In the short time since their formulation, the Guiding Principles have gained considerable standing and wide recognition as an important tool for the protection of the internally displaced. The Inter-Agency Standing Committee has welcomed the Principles and is actively disseminating and making use of them. The Commission on Human Rights and the General Assembly have noted with appreciation the use of the Principles in the work of United Nations agencies, regional organizations and non-governmental organizations, encouraged their further dissemination, and requested the Secretary's General Representative on Internally Displaced Persons to use them in his dialogue with Governments. The Security Council, in its recent consideration of the situation of refugees and internally displaced persons in Africa, referred to the Principles and emphasized the need for better implementation of relevant norms of international law with regard to internally displaced persons. The Council has begun to refer to the Principles when addressing specific situations of internal displacement, as in the case of Burundi.

47. Regional organizations including the Organization of African Unity, the Inter-American Commission of Human Rights of the Organization of American States, and the Organization for Security and Cooperation in Europe also have continued to respond positively to the Principles. Of particular note in the reporting period, the OAU Commission on Refugees and Displaced Persons took note of the Principles with interest and appreciation.

48. Relevant to both internally displaced persons and refugee children, mention should be made of the Ministerial Conference on War-affected Children in West Africa (Accra, 27-28 April 2000), in which OHCHR participated. In the Declaration adopted by the Conference, the members of the Economic Community of West African States (ECOWAS):

(a) Called on ECOWAS member States to provide, with the support of United Nations agencies and donors, full protection, access and relief to refugees and internally displaced persons, the vast majority of whom are women and children, in accordance with international refugee law and the Guiding Principles on Internal Displacement;

(b) Committed themselves to promoting subregional, cross-border initiatives to reduce ... the displacement of populations and the separation of families.

The Plan of Action adopted by the Conference reiterates these points and also includes, in the elaboration of provisions regarding access to education, a commitment to providing the resources required to maintain educational services for children, including refugee and internally displaced children in conflict and post-conflict situations. To assist efforts for the implementation of the Guiding Principles, a handbook on applying them was prepared, along with a manual of field practice in internal displacement. Both documents, which were published by the Office for the Coordination of Humanitarian Affairs, United Nations Secretariat, for the Committee in the spring of 2000,

devote special attention to programming responses to the plight of internally displaced children.

49. The Secretary-General's Special Representative on Internally Displaced Persons continues to pay special attention, as both the General Assembly and the Commission on Human Rights have requested, to the particular needs of internally displaced children. He does so in particular in his mission reports (on Colombia and East Timor during the reporting period),[4] in special sessions at the series of regional seminars and workshops being held under his mandate (Addis Ababa, Bogotá, Bangkok and Tbilisi, to date), and in inter-agency frameworks, including advocacy, policy formulation and the development of inter-agency training modules on internal displacement.

D. Progressive elimination of child labour

50. The new ILO Convention on the Worst Forms of Child Labour, 1999 (No. 182) has received a larger number of ratifications than any other ILO convention in the first year after its adoption — 30 as of 5 July 2000. They are Belize, Botswana, Brazil, Canada, Central African Republic, Finland, Ghana, Hungary, Iceland, Indonesia, Ireland, Italy, Jordan, Malawi, Mauritius, Mexico, Papua New Guinea, Portugal, Qatar, Rwanda, San Marino, Senegal, Seychelles, Slovakia, South Africa, Switzerland, Tunisia, United Kingdom of Great Britain and Northern Ireland, United States, and Yemen). The global campaign for its ratification and implementation undertaken by the ILO and support from other United Nations bodies such as the Committee on the Rights of the Child, were instrumental. These swift ratifications signify firm commitments for immediate action against various forms of violation of children's rights. The Convention will come into force on 19 November 2000. It cannot be overemphasized that Convention No. 182 does not revise or replace ILO Convention No. 138, concerning the minimum age for admission to employment or work, which establishes the ultimate goal of effective abolition of child labour as a whole. It has been pointed out that the effective abolition of child labour is not something attainable overnight and requires not only prohibition in law but also a wide range of comprehensive measures, including measures for education, adult employment and other means of social protection and assistance for children and their families. A country's level of economic and social development has a direct impact on these factors, and the problem needs to be tackled with a medium- to long-term overview.

51. However, the international community realized that certain types of child labour are such a flagrant violation of the children's fundamental rights or so hazardous to their health, safety or life itself that there is no excuse for inaction against them regardless of the degree of economic and social development. This is the gist of Convention No. 182, which sets a priority in the fight against child labour. The adoption of Convention No. 182 by no means signifies tolerance for forms of child labour other than those defined as the worst forms. On the contrary, the process of elaborating the new Convention increased international awareness on the issue of child labour in general. It also brought about a remarkable increase in the number of ratifications of Convention No. 138 on the minimum age, which has almost doubled during the past five years and which now includes more than a half of the ILO member States (95 ratifications, as of 5 July 2000).

52. In the field of assistance through technical cooperation, the International Programme on the Elimination of Child Labour (IPEC) of the ILO, launched in 1992 with just one donor and six participating countries, has evolved into a 90-country alliance. ILO/IPEC now operates projects on the ground in nearly 70 countries and draws upon resources from more than 20 donors. The IPEC approach is to help Governments and societies to build their capacities to combat child labour and take ownership of effective, proven methods. There are a number of steps involved: to encourage ILO partners and potential partners in a country to begin a dialogue and create alliances; to assess the nature and extent of the child labour problem; to assist in devising national policies to counter it; to set up mechanisms to provide in-country ownership and operation of a national programme of action; to help create awareness in the workplace and the community; to promote development and application of protective legislation; to support direct action to ensure the rehabilitation and social integration of children, including access to education and improved livelihood; to integrate child labour issues systematically into social and economic development policies, programmes and budgets; and to reproduce successful projects.

53. In addition to the above-mentioned two Conventions (Nos. 138 and 182), the policy framework for action against child labour is built also upon the ILO Declaration on Fundamental Principles and Rights at Work, adopted in 1998, which mainstreams the issue of child labour among the fundamental social issues. With the adoption and rapid ratification in 1999 of Convention No. 182, ILO/IPEC has made a strategic shift which relies on greatly intensified collection of data and the integration of statistical information, analysis and research. In addition to carrying out a large number of direct action programmes and a growing number of large-scale sectoral projects, ILO/IPEC is now also engaging in nationwide time-bound programmes for the elimination of the worst forms of child labour. Three countries — El Salvador, Nepal and the United Republic of Tanzania — have expressed their wish to deal with the worst forms of child labour in that manner. It must be emphasized that the global campaign to promote the ratification and implementation of the two ILO Conventions works alongside its technical cooperation programmes in the field.

54. UNICEF cooperation in child labour issues extended to a wider group of countries during 1999, most notably through the launch of the global Education as a Preventive Strategy Against Child Labour Initiative in 29 countries. Programmes comprise a range of activities aimed at improving access to education for the most vulnerable, reducing drop-out rates and providing second-chance opportunities through non-formal education and training. UNICEF advocacy resulted in amendments to child labour laws in several countries, with sanctions being toughened on employers violating laws on the minimum age, the maximum hours of work and safe working conditions.

55. A regional initiative was begun, in collaboration with the International Programme on the Elimination of Child Labour/ILO, to assess the prevalence and causes of intolerable forms of child labour, with a special focus on HIV/AIDS as a determinant of children being forced into exploitative labour. In South Asia, a UNICEF task force on child labour was formed to develop a regional strategy based on lessons learned and to strengthen links with the ILO. In India, collaborative efforts were undertaken to encourage trade union members, factory inspectors, workers and the media to focus attention on child labour and exploitation, and the non-formal basic education programme for out-of-school children was expanded to 18 urban centres. In Brazil, over 1,000 mayors signed a letter of intent to take action against child labour in garbage dumps, while local initiatives such as education grants were undertaken by municipalities, individuals and non-governmental organizations to address the problem.

E. The plight of children living and/or working on the streets

56. The Committee on the Rights of the Child decided, at its twenty-third session, that a day of general discussion would be held during its twenty-fifth session (18 September-6 October 2000) on "State violence against children", including violence targeting children living and/or working on the streets.

F. Children with disabilities

57. The Special Rapporteur of the Commission for Social Development on disability noted, in his latest report,[5] that since 1997 and the holding by the Committee on the Rights of the Child of the general day of discussion on the rights of children with disabilities, some positive developments had taken place. According to the Special Rapporteur, the discussion day had resulted in increased awareness of the many dimensions of the issue and had stimulated the Committee to adopt a number of recommendations for further action. The working group established by non-governmental organizations in the fields of disability and children's rights in 1999 to follow up on some of the recommendations has the potential to provide valuable information and knowledge.

58. The Special Rapporteur also noted that there was growing involvement in the plight of disabled children on the part of the non-governmental organizations working in the disability field. He felt it was necessary for that involvement to grow and that the newly created working group could contribute to such growth.

59. Issues related to the prevention of child disability and ensuring that the rights of children with disabilities are met are gradually receiving greater recognition among Governments and development partners. UNICEF's interventions have focused mainly on

increasing access to services for disabled children and promoting their integration into society.

60. In Central and Eastern Europe, the Commonwealth of Independent States and the Baltic States region, a wide range of initiatives to raise the visibility of children with disabilities included the Conference on Social Integration (Russian Federation), creation of a national database for people with disabilities to facilitate their access to services (Armenia), and establishment of clubs for parents of disabled children (Ukraine). In the Islamic Republic of Iran, UNICEF helped to launch a pilot project on inclusive and accessible libraries, the first intersectoral project in that country for children with disabilities. The project also helps to expand the access of disabled children to literature and supports training and awareness-raising among teachers and other service providers. In Iraq, UNICEF supported social institutions and special schools for physically disabled children through the training of social workers, the rehabilitation of physical infrastructure and the provision of equipment. In Algeria, UNICEF support in 1999 for the psychological rehabilitation of traumatized children focused on the training of nearly 1,000 inspectors, counsellors and teachers on child trauma and treatment. Support for the rehabilitation of children with disabilities was also provided through non-governmental organizations in Afghanistan and South Africa, while UNICEF assisted the development of teaching and learning materials and the sensitization and training of teachers and health workers for the assessment and integration of children with disabilities in Armenia, Azerbaijan, Egypt and Jordan.

61. UNICEF continued to support a number of prevention, rehabilitation and reintegration programmes for children affected by landmines. Mine awareness programmes were assisted in a dozen countries, including Angola, Cambodia, Nicaragua and Yugoslavia. Cambodia extended its database on mine incidents in high-risk areas and included mine awareness in teacher training.

Notes

[1] For the reports of the Committee on these sessions, see CRC/C/90, CRC/C/94 and CRC/C/97.

[2] See "Report of the expert of the Secretary-General, Ms. Graca Machal, submitted pursuant to General Assembly resolution 48/157", in "Impact of armed conflict on children" (A/51/306).

[3] E/CN.4/1998/53/Add.2, annex.

[4] E/CN.4/2000/83, Add.1 and 3.

[5] E/CN.5/2000/3.